

Union Theological Seminary

**Towards a Liberative Ethic  
Against Environmental Destruction:  
Watching White Earth from Harlem**

A Thesis

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## **Abstract**

Here, I demonstrate how it is that liberative ethics can be used to convince Christians and U.S. Americans more broadly that it is worthwhile to protect the environment. Even if someone in the U.S. does not hold a worldview that assumes the value and sacredness of the life of non-human beings, they may still be convinced of the merits of climate protection as a necessary aspect of human liberation from oppression and undue suffering. Using the lens of Traci C. West's disruptive Christian ethic, I look to the struggles of the White Earth Anishinaabe against Enbridge Inc.'s Line 3 Pipeline construction as is described by activist Winona LaDuke along with other Anishinaabe insights as sources of ethical knowledge that can teach the West what it means to protect the Earth. This ethical knowledge shows us that both the neoclassical and market fundamentalist models of "water protection" are left wanting under a liberationist ethical paradigm which requires that the West respect the experiences of indigenous peoples.

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## Part I: Introduction

### My Context

I will first introduce myself as a thinker and theorist grounded in a particular context. My father was born in Harlem and raised in the South Bronx (Mott Haven). He lived among the neighborhoods where hip-hop was born and we consider hip-hop, jazz and soul music to be fundamental elements of our family's cultural heritage. He attended Goshen College with the help of the Mennonite Church and is now a baptized Mennonite. I was born in Lancaster, Pennsylvania, where he worked as the Director of Community Ministries at the Mennonite Central Committee.

My mother is a non-status Ojibwe woman who was adopted from Winnipeg, Manitoba, Canada as an infant. Her adoptive parents are white Hoosiers (people from Indiana) who moved to Watertown, NY when my mother began the eighth grade. Our family has reconnected with her biological mother and older brother and we consider it extremely important to honor our indigeneity. In my case, I continuously learn Anishinaabemowin (the Ojibwe language) through free online courses made available through the University of Wisconsin-Eau Claire.<sup>1</sup> As an intern at the Center for Earth Ethics at Union Theological Seminary (school year 2019-2020) I met Grandfather T8aminik Rankin and Grandmother Marie-Josée Rankin-Tardif (Algonquin Elders) and worked with Drs. Mindahi Bastida and Geraldine Patrick Encina, all of whom encouraged my resolve to live in my Anishinaabe authenticity. Currently, I speak Anishinaabemowin in order to pray and to introduce myself on certain formal occasions.

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<sup>1</sup> “Online Ojibwe Language Program,” University of Wisconsin-Eau Claire (Website), 2021, <https://www.uwec.edu/academics/college-arts-sciences/departments-programs/languages/academic-offerings/all-languages/online-ojibwe-language-program/>.



My mother is phenotypically Indigenous (she looks Native) and my father is Black American born in Harlem and raised in the South Bronx. Therefore, I am racially Black per United States racial tradition and I am proud to claim it. I am a spiritual, ethnic and political hybrid between the Anishinaabe and Black American cultural traditions.

My time at Union Theological Seminary (UTS) has allowed me to better appreciate those thoughts of mine which have come from the Judaeo-Christian-Western traditions. One example is the concept of social justice as envisioned by trade unionists, Progressivists and Social Gospelers of the 1880s.<sup>2</sup> I am also inspired by assertions concerning the supreme value of individuals<sup>3</sup> and their inherent right to be free from political, economic and intellectual subjugation, which are major themes in enlightenment philosophies. Despite my recognition of the elements of Christian and enlightenment thought that exist in my thinking, I remain unbaptized and do not plan to become an official member of any Christian church as of now. I feel much more at home and at peace in the ways by which the Anishinaabe tradition engages the Great Mystery and promotes harmony with all our relations.

I am extremely grateful for the teachings of Drs. Sarah Azaransky and Gary Dorrien and for the conversations that I have had with many students in my past three years at UTS. I am also grateful to Karenna Gore who introduced me to the world of environmentalists and inspired me to continue on the environmental justice path. I am also grateful to all of my family in New York, Indiana, Tennessee and Atlanta for their love and support.

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<sup>2</sup> Gary J. Dorrien, *The New Abolition: W.E.B. Du Bois and the Black Social Gospel* (New Haven: Yale University Press, 2015), 4.

<sup>3</sup> Gary J. Dorrien, *In a Post-Hegelian Spirit: Philosophical Theology as Idealistic Discontent* (Waco, Texas: Baylor University Press, 2020), 4.

## A Problem of Epic Proportions

In this thesis I will consider a liberative ethic that may be useful to U.S. Americans as a way to combat climate change: one of the largest and most pressing issues facing the world today. Before I propose the ethic, I will first provide a description of the effects of climate change. I will not exhaust all details about the projected consequences of climate change. Instead, I will provide an overview of the magnitude of the situation that human beings will face for many generations to come.

According to the Intergovernmental Panel on Climate Change's (IPCC)<sup>4</sup> *AR5 Synthesis Report*, an immanent consequence of climate change will be widespread, international food insecurity by 2050. This loss of food security will be the result of multiple intermediary causes: the populations of both wild and farmed fish will decline; a severe loss of surface water and groundwater in dry subtropical regions; and major loss of agricultural crops like wheat, rice and maize due to extreme weather<sup>5</sup> which, in turn, will reduce the number of livestock. These findings coincide with a mass extinction that is currently underway:<sup>6</sup> the sixth mass extinction that scientists are aware of in the history of the earth.

Besides food insecurity, many people will be displaced by rising sea levels. By the year 2100 rising sea levels are expected to displace thirteen million U.S. Americans, which would cause mass migrations inland from the coasts. This mass migration would cause many economi-

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<sup>4</sup> The IPCC "is the United Nations body for assessing the science related to climate change." See "IPCC — Intergovernmental Panel on Climate Change," (Website) accessed April 15, 2021, <https://www.ipcc.ch/>.

<sup>5</sup> *Climate Change 2014: Synthesis Report Summary for Policy Makers*, Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Core Writing Team, eds. R.K. Pachauri and L.A. Meyer, (IPCC: Geneva, Switzerland) 2014, 13.

<sup>6</sup> Gerardo Ceballos, Paul R. Ehrlich, and Peter H. Raven, "Vertebrates on the Brink as Indicators of Biological Annihilation and the Sixth Mass Extinction," *Proceedings of the National Academy of Sciences* 117, no. 24 (June 16, 2020): 13596–602, <https://doi.org/10.1073/pnas.1922686117>.

cally poor people to become climate refugees.<sup>7</sup> The IPCC's *AR5* report states that “[c]limate change will amplify existing risks and create new risks for natural and human systems. Risks are unevenly distributed and are generally greater for disadvantaged people and communities in countries at all levels of development.<sup>8</sup> In 2018, the World Bank estimated that the number of climate refugees from Latin America, sub-Saharan Africa, and Southeast Asia could number 143 million by 2050.<sup>9</sup>

The IPCC report emphatically asserts that climate change is anthropogenic and that the rate of changes seen in the Earth's climate are “unprecedented over decades to millennia.”<sup>10</sup> Climate change is caused by rising global temperatures, which is the result of human-generated carbon dioxide (CO<sub>2</sub>) emissions into the atmosphere along with the emission of other greenhouse gasses like methane. Even if humans were to stop all emissions now (April 2021), elevated global temperatures would be expected to stabilize at elevated levels for many centuries into the future. In this best (and counterfactual) scenario, climate systems will continue to change as a result of “shifting biomes, soil carbon, ice sheets, ocean temperatures and associated sea level rise.”<sup>11</sup>

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<sup>7</sup> “Conference Raises Tough Questions About Retreat from Rising Seas | Lamont-Doherty Earth Observatory,” Columbia University Earth Institute (Website), accessed April 14, 2021, <https://www.ldeo.columbia.edu/news-events/conference-raises-tough-questions-about-retreat-rising-seas>.

<sup>8</sup> *Climate Change 2014: Synthesis Report Summary for Policy Makers*, Contribution of Working Groups I, II and III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change, Core Writing Team, R.K. Pachauri and L.A. Meyer eds., (IPCC: Geneva, Switzerland), 2014, 13, [https://www.ipcc.ch/site/assets/uploads/2018/02/AR5\\_SYR\\_FINAL\\_SPM.pdf](https://www.ipcc.ch/site/assets/uploads/2018/02/AR5_SYR_FINAL_SPM.pdf).

<sup>9</sup> Kumari Kanta Rigaud, et. al., *Groundswell: Preparing for Internal Climate Migration*, (World Bank Group: Washington, DC) 2018, 2, <https://openknowledge.worldbank.org/handle/10986/29461>.

<sup>10</sup> *Climate Change 2014: Synthesis Report Summary for Policy Makers*, 2.

<sup>11</sup> *Climate Change 2014: Synthesis Report Summary for Policy Makers*, 16.

In a 2018 special report, The IPCC provided humanity with a strategy in order to mitigate climate change: *Special Report: Global Warming of 1.5 °C*.<sup>12</sup> This report found that human beings have caused a rise in the global mean surface temperature (GMST) between 0.8°C and 1.2°C above preindustrial (years 1850-1900 C.E.) levels. If global temperatures continue to rise at this rate, then global warming will reach 1.5°C over preindustrial average temperatures by the year 2052. A GMST of 1.5°C above preindustrial averages would cause a “robust” increase in “mean temperature in most land and ocean regions..., hot extremes in most inhabited regions..., heavy precipitation in several regions..., and the probability of drought and precipitation deficits in some regions....” A second robust increase in climate change severity would also take place if the GMST were to rise from 1.5°C to 2°C above the preindustrial average.

Given this information provided by the scientific community, U.S. House Representative Alexandria Ocasio-Cortez and U.S. Senator Edward Markey each submitted resolutions to their respective legislative bodies advocating for a Green New Deal. The Green New Deal resolution was submitted to Congress on February 7, 2019 and advocated for a dramatic cut in the burning of fossil fuels to net-zero nationwide within ten years (among other projects meant to combat poverty) in order to avoid heating the planet to 1.5°C above preindustrial temperatures. The resolution was defeated in the Senate “against the backdrop of historic flooding in the Midwest and repeated warnings including from agencies in the Trump administration about the economic and

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<sup>12</sup> Myles Allen, et. al., *IPCC, 2018: Summary for Policymakers*, In: *Global Warming of 1.5°C. An IPCC Special Report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty*, V. Masson-Delmotte, et. al. eds., (In Press), [https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15\\_SPM\\_version\\_report\\_LR.pdf](https://www.ipcc.ch/site/assets/uploads/sites/2/2019/05/SR15_SPM_version_report_LR.pdf).

environmental impact of failing to deal with global warming.”<sup>13</sup> Legislators considered the non-bonding resolution to be overly ambitious. However, there are instances where government officials try to hold oil companies accountable for the air pollution they cause. For example, the current Attorney General of Minnesota, Kieth Ellison, is pursuing damages from ExxonMobil, Koch Industries and the American Petroleum Institute for misleading the public about the effects of fossil fuels on climate and for the harm caused to Minnesota by their greenhouse gas emissions.<sup>14</sup>

Given the IPCC’s reproof of greenhouse gas emissions, I will be concerned primarily with oil pipelines. Oil is a fossil fuel that, when burned for energy, releases CO<sub>2</sub> emissions into the atmosphere. In 2018, CO<sub>2</sub> emissions from fossil fuel combustion (the burning of oil, coal and natural gas) accounted for 75% of total U.S. anthropogenic greenhouse gas emissions and about 93% of total U.S. anthropogenic CO<sub>2</sub> emissions. Oil makes up about 46% of total fossil fuels burned in the U.S.A.<sup>15</sup>

In order to discern ways by which we all can avoid human-caused environmental destruction, I will gain ethical knowledge from the experience of the Anishinaabe people on the White Earth Reservation in Minnesota as they courageously resist the development of Enbridge Inc.’s Line 3 Pipeline. The method I will use to derive lessons from this ethical source is Traci West’s disruptive Christian ethic, which, ultimately, is a rationale that Christians (and the wider Western

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<sup>13</sup> **Dino Grandoni and Felicia Sonmez, “Senate Defeats Green New Deal, as Democrats Call Vote a ‘Sham,’”** *Washington Post*, accessed April 16, 2021, [https://www.washingtonpost.com/powerpost/green-new-deal-on-track-to-senate-defeat-as-democrats-call-vote-a-sham/2019/03/26/834f3e5e-4fdd-11e9-a3f7-78b7525a8d5f\\_story.html](https://www.washingtonpost.com/powerpost/green-new-deal-on-track-to-senate-defeat-as-democrats-call-vote-a-sham/2019/03/26/834f3e5e-4fdd-11e9-a3f7-78b7525a8d5f_story.html).

<sup>14</sup> “AG Ellison Sues ExxonMobil, Koch Industries & American Petroleum Institute for Deceiving, Defrauding Minnesotans about Climate Change,” The Office of Minnesota Attorney General Kieth Ellison (Website), [https://www.ag.state.mn.us/Office/Communications/2020/06/24\\_ExxonKochAPI.asp](https://www.ag.state.mn.us/Office/Communications/2020/06/24_ExxonKochAPI.asp).

<sup>15</sup> “Where Greenhouse Gases Come From,” U.S. Energy Information Administration (EIA), (Website) accessed April 16, 2021, <https://www.eia.gov/energyexplained/energy-and-the-environment/where-greenhouse-gases-come-from.php>.

culture) may use to convince other Christians that they ought to listen to and even differ to the knowledge of the historically marginalized in the pursuit of climate protection against oil pipelines.

### Listening to Indigenous Peoples

The disruptive Christian ethic aims to de-center elite academic institutions as the sole locus of legitimate knowledge. While we live in a time where many citizens of the United States of America have rejected the authority of academics (including scientists) in favor of “alternative facts,”<sup>16</sup> the species of de-centering that I advocate for is quite different. The species of de-centering I want to contribute to is grounded in the ideas presented by Linda Tuhiwai Smith, Emilie Townes and Traci West.

In *Decolonizing Methodologies*, Linda Tuhiwai Smith points out that Western culture and thought constantly reaffirm the West’s view of itself as the center of legitimate knowledge, the arbitrator of what counts as knowledge and the source of ‘civilized’ knowledge. Such knowledge is then presented to the world as global or ‘universal’ knowledge,

available to all and not really ‘owned’ by anyone, that is, until non-Western scholars make claims to it. When [non-Western] claims [to knowledge] are made history is revised (again) so that the story of civilization remains the story of the West. For this purpose, the Mediterranean world, the basin of Arabic culture and the lands east of Constantinople are conveniently appropriated as part of the story of Western knowledge.<sup>17</sup>

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<sup>16</sup> The term “alternative facts” is often said to have gained recent popularity on January 22, 2017 when it was used by Kellyanne Conway who was a senior advisor to former President Donald Trump. She said the phrase as a way to legitimize Trump’s Press Secretary Sean Spicer’s claim that Trump’s presidential inauguration was more well attended than former President Obama’s inauguration. Instead of calling this claim a falsehood or a lie, Conway used the term “alternative fact.” See Source: NBC’s Meet the Press, “Kellyanne Conway Denies Trump Press Secretary Lied: ‘He Offered Alternative Facts’ – Video,” *The Guardian*, January 22, 2017, sec. US news, <https://www.theguardian.com/us-news/video/2017/jan/22/kellyanne-conway-trump-press-secretary-alternative-facts-video>.

<sup>17</sup> Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, Second Edition. (London: Zed Books, 2012), 66.

The centering of all knowledge into Western civilization and western academies perpetuates an ideology that considers indigenous peoples<sup>18</sup> to be objects of study— as ‘its’ as opposed to subjects that actively hold and create knowledge. This ideology also provides the foundation for the belief that indigenous people either do not possess high levels of rational thought and social organization—civilization— or they simply have an underdeveloped version of civilization.<sup>19</sup>

The mutual support between the centralization of knowledge and colonization projects in the Enlightenment/Modern Era are on full display in the USA’s Doctrine of Discovery, which provides the foundation of the United States of America’s self-legitimization for existing on usurped land. Today, the Doctrine continues to serve as the justification for withholding indigenous property rights and sovereignty on the North American continent (or Turtle Island in the context of this paper)<sup>20</sup> by way of “the character and religion of its [original] inhabitants... the

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<sup>18</sup> “Indigenous peoples” with an “s” is a term adopted by the American Indian Movement and the Canadian Indian Brotherhood in the 1970s, which internationalizes the struggles of aboriginal people native to a land. It is a term of both solidarity among the experiences of the colonized and a term that highlights the distinct diversity and sovereignty of each colonized group. See Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 7.

<sup>19</sup> The hierarchy of civilizations is an idea held by Immanuel Kant, Thomas Jefferson, G. W. F. Hegel, Herbert Spencer and John Stuart Mill among other prominent and influential thinkers. See respectively, Immanuel Kant, “Physical Geography,” excerpt from James Samuel Logan, “Immanuel Kant on Categorical Imperative,” *Beyond the Pale: Reading Ethics from the Margins*, ed. Stacey M. Floyd-Thomas and Miguel A. De La Torre (iBooks), <https://books.apple.com/us/book/beyond-the-pale/id997804776>,” Thomas Jefferson letter to Chastellux June 7, 1785 in *The Letters of Thomas Jefferson*, The Avalon Project, Lillian Goldman Law Library, [https://avalon.law.yale.edu/18th\\_century/let27.asp](https://avalon.law.yale.edu/18th_century/let27.asp); Georg Wilhelm Friedrich Hegel, *Philosophy of History*, A Library of Universal Literature, Part 1 - Science, v. 12 (New York: P.F. Collier and son, 1900), 135-137, 148-157, 163; Herbert Spencer, *The Study of Sociology* (New York, London: D. Appleton and Company, 1924), 308, 345-346, 364; John Stuart Mill, “A Few Words on Non-Intervention,” in *The Collected Works of John Stuart Mill, Vol. XXI*, ed. John M. Robson (1859; Toronto: University of Toronto Press, 1991), 113, 115, excerpt from Ilup Ahn, “John Stuart Mill on Utilitarianism,” *Beyond the Pale: Reading Ethics from the Margins*, ed. Stacey M. Floyd-Thomas & Miguel A. De La Torre (iBooks), <https://books.apple.com/us/book/beyond-the-pale/id997804776>. Spencer’s social Darwinism was especially difficult to combat for many years and its influence can still be felt today in social attitudes, policies and political philosophies.

<sup>20</sup> The Ojibway-Anishinaabe name for North America is Turtle Island. See Robin Wall Kimmerer, *Braiding Sweetgrass: Indigenous Wisdom, Scientific Knowledge and the Teachings of Plants*, First Edition (Minneapolis, Minnesota: Milkweed Editions, 2013), 5; and Basil Johnston, *Ojibway Heritage*, Bison Books Edition (Lincoln: University of Nebraska Press, 1990, 1976), 14.

superior genius of Europe... [and] ample compensation to the [Indians] by bestowing on them civilization and Christianity, in exchange for unlimited independence.”<sup>21</sup>

In *Womanist Ethics and the Cultural Production of Evil*, Emilie Townes points to the influence of this centralizing ideology as it affects academic construals of history. The Western concept of history as an academic discipline maintains that history is a scientific discipline that provides proof and corroborating evidence uncorrupted by the memories of individuals. Memory is seen as a subjective, personal storytelling activity skewed by the teller’s own agenda and biases. “Therefore, memory is impressionistic and history is knowledge.”<sup>22</sup> Because the West considers academia to be the site of knowledge about the human story in history, the West has claimed to be the center of the legitimate narrative of indigenous history, and as such has positioned itself as the authority on the indigenous story. This creates the ironic scenario where indigenous people—and people of color more generally—have often gone to Western academic institutions to learn about themselves and/or to be recognized in the dominant society as having the authority to interpret their own story and to contribute to the wider collection of universal knowledge.<sup>23</sup>

Traci West finds a similar scenario has played out in the discipline of social ethics in that authority over legitimate knowledge has been attributed white men in academia. In *Disruptive Christian Ethics* she proposes an academic method by which to de-center the production of

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<sup>21</sup> Robert J. Miller, “The Doctrine of Discovery,” in *Discovering Indigenous Lands: The Doctrine of Discovery in the English Colonies*, ed. Robert J. Miller et al. (Oxford: Oxford University Press, 2010), 4. Here, Prof. Robert J. Miller cites Chief Justice John Marshall’s establishment of the Doctrine of Discovery from his opinion in *Johnson v. M’Intosh* (21 U.S. 543). This doctrine was cited by name in Justice Ruth Bader Ginsburg’s opinion on behalf of the Supreme Court for *City of Sherrill, NY v. Oneida Nation* (544 US 197 (2005)).

<sup>22</sup> Emilie Maureen Townes, *Womanist Ethics and the Cultural Production of Evil* (New York: Palgrave Macmillan, 2006), 12.

<sup>23</sup> Smith points to Franz Fanon as a ‘Native’ intellectual who considers the process by which an academically trained intellectual can avoid further colonizing their own people and, after a three step process, become a positive presence in their communities of origin. Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples*, 73.



knowledge by including other legitimate sources of knowledge about ethics. These other sources of knowledge are produced and located in the lives of the historically oppressed and disrupt the dominant ethical construals formulated in the traditional U.S.A academic hierarchy. This method is meant to convince people in the West, especially Christians, that they ought to take seriously the experiences of the marginalized if they wish to pursue a social narrative and an ethics that is more accurate than the colonizing, and myopic, projects mobilized by the academy in the past.<sup>24</sup> This method can be called ‘liberative’ to the extent that it develops into a dialogue between the dominant and more marginalized groups that then leads to increased flourishing and dignity for marginalized people in this country.

West’s method has the potential to help the geo-political West to solve some of the most pressing challenges of our times, not the least of which is climate change. This paper will examine how it is that listening to the knowledges of the disinherited and the dispossessed<sup>25</sup> can help the West to avert environmental disaster. There are many instances of communities that hold knowledge of the dangers of climate change. Here, a couple of examples come to mind: citizen struggles to establish a Lake Erie Bill of Rights against pollution in Ohio,<sup>26</sup> the chemical pollutants in the air and water in the Mississippi corridor between Baton Rouge and New Orleans,

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<sup>24</sup> Traci C. West, *Disruptive Christian Ethics: When Racism and Women’s Lives Matter*, 1st Edition (Louisville, Ky: Westminster John Knox Press, 2006), 3,4.

<sup>25</sup> Howard Thurman, *Jesus and the Disinherited* (Richmond, Ind: Friends United Press, 1981), 13.

<sup>26</sup> United States District Court for the Northern District of Ohio Western Division, Case No. 3:19 CV 434. 2020.

Louisiana (also known as Cancer Alley),<sup>27</sup> local resistance to the Byhalia Pipeline in Memphis, Tennessee<sup>28</sup> and resistance against the Line 3 oil pipeline in Minnesota.<sup>29</sup>

For my purposes in this work, I will take the risk of using the Line 3 example because unlike the examples in Memphis, and in Cancer Alley, Line 3 resistance is a strong representation of how two cultures and worldviews collide on the same land. In the case of Cancer Alley and Memphis, Tennessee we see marginalized people who largely share the same professed culture, worldview and religion as the dominant culture. By using the Line 3 example, I will be able to better highlight and examine the scope of West's method which has the ultimate goal of listening to and engaging the 'other' in our pluralistic setting.<sup>30</sup> This example also features a largely invisible demographic of the United States: indigenous people. Using Traci West's liberative and disruptive ethic, I will demonstrate that the experiences and actions of White Earth Water Protectors constitute a critique of the market fundamentalist worldview and the market fundamentalist concept of environmental protection.

A fair amount of work has been done at Union Theological Seminary (where I am a student at the time of writing this thesis) to foster conversation with indigenous voices. This is possibly the result of an institution that values the lessons of liberative ethics and theology. Examples include the featuring of work done by its indigenous alumni like Robert Warrior in its theol-

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<sup>27</sup> See Barbara L. Allen, *Uneasy Alchemy: Citizens and Experts in Louisiana's Chemical Corridor Disputes* (Cambridge, Mass.: MIT Press, 2003); and Tristan Baurick, et al., "Welcome to 'Cancer Alley,' Where Toxic Air Is About to Get Worse," *ProPublica* (Website), Oct. 30, 2019, 12 p.m. EDT, <https://www.propublica.org/article/welcome-to-cancer-alley-where-toxic-air-is-about-to-get-worse>

<sup>28</sup> A collaborative project between Plains All American Pipeline, L.P. and Valero Energy Corporation. See Briseida Holguin, "Memphis City Council Passes Resolution to Oppose Byhalia Pipeline," WMC Action News 5.com, Updated March 16 at 6:35 PM, <https://www.wmcactionnews5.com/2021/03/16/memphis-city-council-passes-resolution-oppose-byhalia-pipeline/>.

<sup>29</sup> "Stop Line 3," StopLine3.org, Accessed April 14, 2021, <https://www.stopline3.org>.

<sup>30</sup> Traci C. West, *Disruptive Christian Ethics*, xiv.

ogy classes, inviting indigenous peoples to come and speak as part of SU 190 courses,<sup>31</sup> and inviting Winona LaDuke to speak at the annual Women of Spirit Lecture.<sup>32</sup> The Center for Earth Ethics (CEE)—housed at UTS—also privileges the voices of indigenous peoples as a foundational source and producer of knowledge in their formulations of ethical paradigms to combat climate change.<sup>33</sup>

This ethics can be mobilized to convince the dominant Western culture to come to the table with historically marginalized communities in order to discuss ethical ideas, and as such, does not require that the marginalized communities also be persuaded by this argument. As I will demonstrate the Anishinaabe have their own ethics and experiences that have either persuaded or compelled them to attempt dialogue with the West. Respectful dialogue is needed because a multitude of diverse people are needed to do this work of the seventh fire generation.<sup>34</sup>

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<sup>31</sup> SU 190 courses are one credit courses offered at UTS with a wide variety of topics taught by faculty, staff and guest lecturers. They often include guest speakers.

<sup>32</sup> “The **Judith Davidson Moyers Women of Spirit Lectures** provide a public forum to discuss the most pressing global issues faced by present-day women leaders of faith. The 2017 lecture w[as]... delivered on April 26th at 6:30 pm by Winona LaDuke, the [Ojibwe] rural development economist, author, and activist working on issues of sustainable development and food systems.” See “Livestream: Judith Davidson Moyers Women of Spirit Lecture with Winona LaDuke,” Union Theological Seminary (blog), April 20, 2017, [https://utsnyc.edu/laduke\\_wos/](https://utsnyc.edu/laduke_wos/).

<sup>33</sup> I was an intern to the Center for Earth Ethic’s Director, Karenni Gore between September of 2019 and May of 2020. The privileging of indigenous voices manifest at the CEE in its Original Caretakers Program and in its collaborations with indigenous communities in the New York and New Jersey areas: including the Onondaga Nation and the Ramapough Lenape among others.

<sup>34</sup> According to Anishinaabe prophesy, we currently live in the era of the seventh fire: the defining moment in human history when human beings, especially industrialized societies, must decide to curb their destructive habits or else face irreversible and catastrophic environmental and social destruction. See Eddie Benton-Benai, *Tribal Histories: Ojibwe History*, Eddie Benton-Benai speaking, Public Broadcasting Service, Thirteen, aired August 31, 2000, <https://www.pbs.org/video/wpt-documentaries-ojibwe-history/>, at 24 min. 50 sec; and Thomas D. Peacock and Marlene Wisuri, *The Good Path* (St. Paul, MN: Minnesota Historical Society Press, 2009), 113-120.

## Part II: Method

### Traci West's Disruptive Christian Ethic

Using Traci West's *Disruptive Christian Ethics* I will propose that people living in the U.S. ought to privilege the experience and worldview of the Anishinaabe with respect to their particular context of resistance against construction of the Line 3 Pipeline. A privileging of Anishinaabe ethical knowledge is necessary because U.S. ethical norms have proven to be unacceptable and inadequate when held up to the standards of liberationist Christian ethic. And if a Christian foundation is not convincing for some secular Americans, I will demonstrate how this liberative ethic is also supported by The Declaration of Independence and the U.S. Constitution. The experience of the Anishinaabe is itself a circumstance that stands as a basis for an ethical critique of the actions of U.S. institutions and the ethical norms they perpetuate.

I will use two elements of Traci West's method in order to make a critique of the U.S.A.'s green lighting of the Enbridge Inc. Line 3 Pipeline. The first, is the discernment of the inadequacy of the market ethic as a universal standard in U.S. culture and policy. The identification of the market ethic as inadequate is observable in both the presence of human suffering and cultural counterexamples that call the universality of the ethic into question. This identification will then create a dialogical space where the harmed members of society will be privileged as a holder of ethical insight and knowledge into the possible solutions to their experience of ethical harm.

The second element of West's ethic I will utilize is the identification of the U.S.'s normative ethic in the Line 3 case by observing the material realities that are born from its governmental and academic institutions: namely the Army Corp of Engineers, the judiciary and the neoclas-

sical and school of economics. This second aspect focuses on the lived practice and consequences of the dominant culture that reveals its ethics in opposition to or in light of its professed ethical ideals.

Notice that both the theoretical and practical aspects of the dominant U.S. culture's ethics are tested by the material experience of a given (usually marginalized) group. This assessment measures the success of U.S. ethics and policy based on a liberationist interpretation of Christianity and the interpretation of the Constitution as derived from the Civil Rights Era.<sup>35</sup> West calls this ethical method a *disruptive* ethic which she grounds in Christian principles and Biblical scripture. This ethical system disrupts the normative and deleterious ethics currently harming the most marginalized peoples in the U.S.A..

In *Disruptive Christian Ethics* Traci West critiques an historically common method for doing ethics as is exemplified by the social ethics of Reinhold Niebuhr, who theorized ethical principles without sufficiently considering the lived lives of marginalized peoples. West argues that social-ethical work is best done by examining the lives and stories of those who are oppressed as a “moral source” of ethical understanding. If an ethicist does not do this, their universal ethical claims will fall short of adequacy because marginalized people, who should be benefiting from Christian ethical practice, have different relationships with moral concepts such as ‘charity’ and ‘pride’ than do credentialed, historically white, and male intellectuals. West empha-

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<sup>35</sup> The Library of Congress identifies the Civil Rights era as being from 1950-1964. This is a convenient term to identify a moment in U.S. American History when a more inclusive interpretation of the U.S. Constitution gained traction and then culminated in the establishment of the Civil Rights Act. See <https://www.loc.gov/exhibits/civil-rights-act/civil-rights-era.html>. However, the Civil Rights Movement under these terms is only a small moment in time in the long struggle for non-white and women's freedom which has always been fought for in the Americas since 1492.

sizes, however, that the traditional white, male, elite ethicists should not be disregarded entirely because some of their work, though incomplete, can be useful.<sup>36</sup> As part of her method, West uses the particular situations and everyday experiences<sup>37</sup> of women of color as a basis to critique universal and normative ethical claims in the United States. In this way, West begins her ethics with a social analysis of experience. By privileging marginalized people, she “shapes both core notions for conceiving ethics as well as overarching goals for practicing [ethics].”<sup>38</sup>

With regard to Reinhold Niebuhr’s ethics, West critiques his formulation of pride from the 1930’s and 1940’s<sup>39</sup> by calling attention to the lives of Niebuhr’s black, female contemporaries who lived in Harlem. These women lived only blocks away from Niebuhr’s perch in the ivory tower of Union Theological Seminary located in the aptly named Washington Heights neighborhood. Niebuhr theorized pridefulness “as a quintessentially sinful human need that fueled the drive to dominate others.”<sup>40</sup> For Niebuhr, pride is always wrong.

As a counter example to Niebuhr’s construal of pride, West cited the life of Dr. Bessie Delany who lived in Harlem at the same time that Niebuhr was writing his theory of pride. Delaney was a dentist who severed the black Harlem community through her dentistry and by making her office available for black Harlemites to gather and plan demonstrations against discrimi-

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<sup>36</sup> Dipesh Chakrabarty makes a similar claim about an unavoidable dialogue between Western and non-Western thoughts: “European thought is at once both indispensable and inadequate in helping us to think through the experiences of political modernity in non-Western nations.” See Dipesh Chakrabarty, *Provincializing Europe: Postcolonial Thought and Historical Difference*, (Princeton 2000), 16.

<sup>37</sup> A focus on everyday experience is common in liberative ethics and theologies, including womanism and mujerista theology. See “everydayness” in Emilie Maureen Townes, *Womanist Ethics and the Cultural Production of Evil* (New York: Palgrave Macmillan, 2006), 159; and “lo cotidiano” in Ada María Isasi-Díaz, “Lo Cotidiano: A Key Element of Mujerista Theology,” *Journal of Hispanic / Latino Theology*, 10:1 (Aug. 2002) 5-17.

<sup>38</sup> Traci C. West, *Disruptive Christian Ethics*, xvi.

<sup>39</sup> Reinhold Niebuhr often changed his thoughts and ideas over the course of his life. Traci C. West, *Disruptive Christian Ethics*, 6.

<sup>40</sup> Traci C. West, *Disruptive Christian Ethics*, 10.

nation. She began her practice in the 1920's and continued to practice dentistry and live in Harlem through the Great Depression. The Depression was extremely difficult for black people in Harlem

It is difficult to overstate the devastating impact of the Depression on blacks in Harlem during this period. The Depression brought terrible shortages of food, clothing, jobs, and health care in a community already overburdened with impoverished conditions. Furniture and other personal belongings of evicted families on the sidewalk, daily long lines at the relief office, and people searching garbage cans scrounging for food were all common sights in Harlem neighborhoods. ... "one in four Harlem families broke up, a result, many blacks charged, of the ban on relief to any family with a male wage earner."<sup>41</sup>

Under this dire economic circumstance, Delany "took pride in being a dignified, highly educated, hard-working professional." She considered herself to be a prominent and well educated black woman from a good family and she would always help those who were less economically secure. Beyond providing space for activism planning, she also gave away food as charity and provided dental care even to people who could not afford to pay. She had great pride in being "the kind of Negro that most white people didn't know about," and in keeping her dental practice financially afloat though the Depression against the odds.<sup>42</sup>

Whereas Niebuhr theorized 'pride' as a fundamentally sinful trait in all human beings universally, a half-mile away 'pride' for the marginalized black woman is often an assertion of inherent self worth and is a life-giving and supporting attribute in defiance of white racism, which tries to rob black women of pride in themselves and their group.<sup>43</sup> Harlem women had problematized pride, requiring that the concept of pride needed to be re-theorized. Either pride is

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<sup>41</sup> Traci C. West, *Disruptive Christian Ethics*, 9.

<sup>42</sup> Traci C. West, *Disruptive Christian Ethics*, 10.

<sup>43</sup> Traci C. West, *Disruptive Christian Ethics*, 10.

not to be avoided in all cases, or what Niebuhr identifies as pride is something else (perhaps self-esteem?). In West's assessment, she considers the women to have pride, but of a non-sinful type.

West's critique of Niebuhr's theory of pride represents a template I will use to critique market fundamentalism's idea of protection as an ethical term. With this method I will attempt to critique the legitimacy of market fundamentalism's construal of environmental protection as universally applicable by contrasting it with the ethical life of White Earth residents who protect the environment and their home differently.

West also puts under critical scrutiny the practiced, normative ethics that are observable in the actions and consequences of U.S. institutions. This method reaches beyond theory and focuses on practice. One institution that West analyzes is U.S. Customs and Boarder Protections (CBP: known before 2003 as the U.S. Customs Service).<sup>44</sup> In her analysis of the normative ethic of U.S. Customs, she focuses on the rates at which black women were striped searched compared to the rest of the U.S. population before September 11, 2001.<sup>45</sup> Citing research done by a United States General Accounting Office, West demonstrates that the demographic most likely to be subjected to a strip-search were black women U.S. citizens. The second most likely demographic

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<sup>44</sup> The CBP name changed from Bureau of Customs and Border Protection to U.S. Customs and Border Protection effective March 31, 2007. See "Name Change From the Bureau of Immigration and Customs Enforcement to U.S. Immigration and Customs Enforcement, and the Bureau of Customs and Border Protection to U.S. Customs and Border Protection," Federal Register, April 23, 2007, <https://www.federalregister.gov/documents/2007/04/23/E7-7659/name-change-from-the-bureau-of-immigration-and-customs-enforcement-to-us-immigration-and-customs>. Before 2003, the CBP was called the U.S. Customs Service.

<sup>45</sup> September 11, 2001 is the date when nineteen al-Qaeda militants committed a series of airline hijackings and suicide attacks resulting in 2,750 deaths in New York, "184 at the Pentagon, and 40 in Pennsylvania (where one of the hijacked planes crashed after the passengers attempted to retake the plane)." See Peter L. Bergen "September 11 Attacks | History, Summary, Timeline, Casualties, & Facts," Encyclopedia Britannica, accessed April 7, 2021, <https://www.britannica.com/event/September-11-attacks>.



to be strip-searched was non-U.S.-citizen black women.<sup>46</sup> Another U.S. General Accounting Office study found that in fiscal year 1998, black women were “more likely to be strip-searched than all other types of passengers” and “black women U.S. citizens were nine times more likely than white women to be X-rayed” despite the fact that, “on the basis of X-ray results, they were *less than half* as likely to be carrying contraband as white women.”<sup>47</sup>

One cannot appreciate the full extent of the objectionable nature of being overly targeted for strip-searches without an account of the strip-search process. So, West introduces us to an account given by 33-year-old Yvette Bradley, who was an “advertising executive at SpikeDDB, a partnership between filmmaker Spike Lee and DDB Needham Advertising.” Bradley filed a legal complaint against the Newark, New Jersey airport's U.S. Customs Service with the help of the American Civil Liberties Union and made the following statement on May 12, 2000.<sup>48</sup>

Government agents have routinely singled out black females and treated us as if our bodies were worthless.... They rub their hands all over us. They strip-search us. They prod their fingers into our bodies. They even make us remove our tampons and pads, while menstruating, so that they can examine them.<sup>49</sup>

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<sup>46</sup> “U.S. Customs Service: Better Targeting of Airline Passengers for Personal Searches Could Produce Better Results” (Letter Report, 17 March 2000, GAO/GGD-00-38), 12; cited in Traci C. West, *Disruptive Christian Ethics*, 44.

<sup>47</sup> “U.S. Customs Service: Better Targeting of Airline Passengers for Personal Searches Could Produce Better Results,” 12; in Traci C. West, *Disruptive Christian Ethics*, 44. Emphasis added.

<sup>48</sup> “ACLU Sues U.S. Customs Service Over Degrading Search in Case of ‘Flying While Black,’” American Civil Liberties Union (website), accessed April 7, 2021, <https://www.aclu.org/press-releases/aclu-sues-us-customs-service-over-degrading-search-case-flying-while-black>.

<sup>49</sup> Traci C. West, *Disruptive Christian Ethics*, 44.

In court, Bradley's complaint was dismissed with prejudice. Meaning that "the court intend[ed] for th[e] dismissal to be final in all courts" and that the same claim should not be reassessed by another court.<sup>50</sup>

The U.S. Customs Service's disproportionate targeting of black women for strip-searches was not a codified policy. As such, the actions of customs agents reveal an ethic that is present which is not explicitly articulated as a theory or policy. In instances where a pattern of harmful action is not explicitly mandated or codified, the identification an unarticulated ethic becomes extremely important especially because its lack of articulation can be used on the part of supporters of the harmful, unarticulated and de-facto ethic to deny the existence of the normative ethic. Statistics and the identification of communal experience are important in order to argue that such normative ethics do indeed exist. We live with "overarching moral norms"<sup>51</sup> that are most convincingly discerned through the experiences of the marginalized that result from the concrete practices of institutions. These concrete practices of institutions rehearse "subjugating assumptions within the patterns of our daily lives."<sup>52</sup> This rehearsal becomes a pattern that reproduces "moral knowledge about the worth—the violability—of black women's bodies." The presence of a moral knowledge and normative ethic that devalues black women's bodies is supported by the fact that there was no adjustment in rates at which black and white women were searched

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<sup>50</sup> "Prejudice," LII / Legal Information Institute, Cornell Law School, Wex Legal Dictionary accessed April 7, 2021, <https://www.law.cornell.edu/wex/prejudice>.

<sup>51</sup> Traci C. West, *Disruptive Christian Ethics*, xvi.

<sup>52</sup> Traci C. West, *Disruptive Christian Ethics*, xvii. These subjugating assumptions are part of a complex and hegemonic system of images and worldviews that make up what Emilie Townes calls the fantastic hegemonic imagination (FHI) of the dominant U.S. culture. The FHI in the U.S. is fantastic in that it often does not reflect the truth about people's lives and it is hegemonic in that it is perpetuated by the powers of U.S. institutions. See Emilie Maureen Townes, *Womanist Ethics and the Cultural Production of Evil* (New York: Palgrave Macmillan, 2006), 18.

despite white women having been proven to be more likely to have contraband than black women.<sup>53</sup>

James Cone's liberationist definition of "experience" is helpful here

[E]xperience should not be identified with inwardness, as implied in Schleiermacher's description of religion as the "feeling of absolute dependence." It is not an introspection in which one contemplates one's own ego.... [E]xperience is the atmosphere in which [peoples] live. It is the totality of [an oppressed community's] existence in a ...world where" people's lives are put at risk ....<sup>54</sup>

In tandem with Cones' communal construal of experience, West emphasizes that there is an important personal, individual element to experience. West makes this assertion while citing Katie Cannon, "the role of the emotional, intuitive knowledge in the collective life of the people' [is] a crucial element for womanist scholars."<sup>55</sup>

Using West's method of pointing to the pre-2001 actions of the CBP as a normative ethic, I will attempt to demonstrate that the endangerment of human lifeways in exchange for profit is a normative ethic in the U.S.A.'s establishment of pipelines.

As is evidenced in her method, materiality is important in West's theorizing of ethics. For example, 'pride' helped black women in Depression Era Harlem to avoid "being fully ensnared by the assaults of poverty, racism, and sexism."<sup>56</sup> This concern with materiality is grounded in West's understanding of Christianity as fundamentally concerned with the material world.

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<sup>53</sup> Traci C. West, *Disruptive Christian Ethics*, 45.

<sup>54</sup> James H. Cone, *A Black Theology of Liberation*, 40th anniversary ed (Maryknoll, N.Y: Orbis Books, 2010), 25.

<sup>55</sup> Traci C. West, *Disruptive Christian Ethics*, 44.

<sup>56</sup> Traci C. West, *Disruptive Christian Ethics*, 12.

One point to support this claim is that through God's embodiment in Jesus, God shows God's concern for human bodies. Christianity's concern with materiality is also found in Jesus' healing of male and female bodies and in the Biblical concern for the availability of physical, live-giving substances through recurring stories referencing manna.

Christian Social Ethics, for West, is concerned with liberation because "ethics will remain inadequately informed without primary concern for socially and economically marginalized people...."<sup>57</sup> When a marginalized person is liberated from degrading oppression and has the means to life, then the goal of Christian ethics, liberation, is closer to being achieved. Jesus, for West, is important not only as a sacrifice that liberates humanity from sin but also as a minister who dedicated his life to the liberation of the marginalized and to physical healing.<sup>58</sup> Additionally, the Gospel of Luke maintains that Jesus himself stated his purpose.

"The Spirit of the Lord is upon me,  
because he has anointed me  
to bring good news to the poor.  
He has sent me to proclaim release to the captives  
and recovery of sight to the blind,  
to let the oppressed go free."  
—Luke 4:18 (NRSV)—

For West, authentic Christian social ethics, critiques and analyzes the contradictions between the moral claims of governments and institutions and their actual physical/material and social manifestations as informed by cultural and social assumptions and actions. The vast majority of "good Christians" in US society have historically not been concerned with the poor.

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<sup>57</sup> Traci C. West, *Disruptive Christian Ethics*, xvi.

<sup>58</sup> Traci C. West, *Disruptive Christian Ethics*, 40.

West denounces such persons as unauthentically Christian. Therefore, an effective Christian ethics must be counter-cultural.<sup>59</sup>

West intends for her social ethic to contribute to a pluralist society. She says “Christians need clarity about their own Christian religious approach to social justice in order to figure out how to make responsible contributions to the shared values of our pluralistic world.”<sup>60</sup> West uses the term ‘universal’ to describe a kind of ethic that Christians ought to apply to their relations with all people. The ethic is universally applied by Christians in order to have positive and non-oppressive relationships with others. This ethic is not intended to be universally believed by all of humanity. It is an ethic that ultimately respects the humanity and the knowledges of people in historically marginalized communities. This respect brings Christians to the dialogical table with other religions and worldviews that need not necessarily adopt this liberative ethic for themselves.

Despite the lack of need for all peoples to adopt this ethic universally, I do believe that any U.S. American can use this ethic even if the rationale for using it is not based in a liberative Christian ethic. This is because this liberative ethic is also supported by the claims of the U.S. Constitution and the Declaration of Independence as far as they assert the value of human life and liberty. After all the Declaration of Independence, the Constitution and liberationist ethics all have a common philosophical and spiritual origin in Christianity. I will explain this connection further in the next subsection defending my use of a liberative ethic.

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<sup>59</sup> Traci C. West, *Disruptive Christian Ethics*, xviii.

<sup>60</sup> Traci C. West, *Disruptive Christian Ethics*, xiv.

### Why a Liberative Ethic?

Liberative ethics requires a respect for the ethical contributions and knowledges made by groups of people who have been historically marginalized and who hold different worldviews. Therefore, this ethic supports a vision of the United States of America as a pluralistic country. Indeed this vision for the United States contrasts with any assimilationist ‘melting pot’ images and policies.<sup>61</sup> This aversion to assimilation is especially necessary in any ethic that encourages Christians in the cultural West to engage with indigenous peoples in a manner that is different from the historical and contemporary dynamic. Assimilationist policies gave birth to the terrible Indian boarding school system and the Sixties and Millennial Scoops.<sup>62</sup> This is a history of ethnocide which is being combatted by indigenous communities around the world.

A liberative ethic is also helpful in that it deals with human beings. Human beings work as a compelling locus of concern for ethics because of the professed concern of both Christianity and the Constitution of the United States. Whereas the liberative Christian basis for human concern is explained in the incarnation of God as (or in) Jesus, I will now give a justification for

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<sup>61</sup> “Many polyethnic states have applied “melting pot” policies, aiming to assimilate ethnic minorities into the hegemonic national culture, which often represents the culture of a dominant group.” See “Nation-State | Definition, Characteristics, & Facts,” Encyclopedia Britannica, accessed April 16, 2021, <https://www.britannica.com/topic/nation-state>.

<sup>62</sup> The Sixties Scoop is the catch-all name for a series of policies and Indian Adoption Projects enacted by child welfare agencies and authorities in both the USA and Canada from the mid-1950s to the 1980s, which collectively were an organized effort to remove Indigenous children from their homes and communities. Thousands of children were taken from Indigenous families and placed in the homes of White families. This program existed as part of a long ethnocidal history in both the USA and Canada. “These children lost their names, their languages, and a connection to their heritage. Sadly, many were also abused and made to feel ashamed of who they were.” See Christopher Dart, “**The Sixties Scoop Explained**,” **Canadian Broadcasting Corporation**, <https://www.cbc.ca/cbcdocs/pov/features/the-sixties-scoop-explained>; and Ka’nehsí:io Deer, “Group petitions PM for national apology to 60s Scoop survivors,” CBC News, posted Oct 26, 2020, 4:00 AM ET, <https://www.cbc.ca/news/indigenous/60s-scoop-national-apology-petition-1.5772768>. For information on Indian Adoption Projects see Trace A. DeMeyer & Patricia Cotter-Busbee, *Two Worlds: Lost Children of the Indian Adoption Projects*, First Edition (Greenfield, MA: Blue Hand Books), 2012.

human concern based on the words of the U.S. Declaration of Independence in tandem with the Constitution of the United States.

Although the U.S. Constitution can be interpreted as protecting people from harm, the constitution has been largely impotent in this regard since its founding, especially when applied to women and non-whites. Since the introduction of the Fourteenth Amendment in 1868, the Constitution has been interpreted as a tool to bring about human dignity in that it says:

**All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.<sup>63</sup>**

After the adoption of the Fourteenth Amendment to the Constitution, many American-born people found that their “life, liberty, [and] property” were still not sufficiently protected. Women and many recently freed enslaved people were still kept from voting despite the establishment of the Thirteenth Amendment and, according to studies done by the Equal Justice Initiative, about 6,200 people were lynched between 1865 and 1950<sup>64</sup> the majority of who were black. Only a

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<sup>63</sup> U.S. Const. amend. XIV, § 1.

<sup>64</sup> Michael S. Rosenwald, “At Least 2,000 More Black People Were Lynched by White Mobs than Previously Reported, New Research Finds,” *Washington Post*, June 16, 2020, <https://www.washingtonpost.com/history/2020/06/16/lynchings-report-equal-justice-initiative-reconstruction-racial-terror/>.

handful of lynchings were prosecuted.<sup>65</sup> Activists like Pauli Murray and Martin Luther King Jr.<sup>66</sup> maintained that further legal action would be needed to fulfill the the U.S.A.'s potential to be a just nation. Their work led to the passage of the The Civil Rights Act of 1964. The Civil Rights Act acted as reinforcement to the Fourteenth and Nineteenth Amendments to the Constitution by explicitly enumerating to whom "all persons" in the Fourteenth Amendment was meant to refer. Title IX of the Act states, "Whenever an action has been commenced in any court of the United States seeking relief from the denial of equal protection of the laws under the fourteenth amendment to the Constitution on account of race, color, religion, or national origin, the Attorney General for or in the name of the United States may intervene in such action."<sup>67</sup>

The combination of the both the Fourteenth Amendment and the Civil Rights Act of 1964 reflect a reading of the constitution that was not adopted by most of the founding framers of the United States' Constitution. Together, they establish that marginalized groups of American citizens ought to be protected by U.S. law. Therefore, similar to liberationist ethics, the State has claimed that it values the life and liberty of marginalized peoples.

Combined with the Declaration of Independence this value claim is grounded in the assertion that all people are created equally and "are endowed by their Creator with certain inalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." Thomas Jefferson

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<sup>65</sup> "History of Lynchings in America," NPR.org, Neal Conan host, June 13, 2005, <https://www.npr.org/templates/story/story.php?storyId=4701070>.

<sup>66</sup> See Pauli Murray, *Pauli Murray: The Autobiography of a Black Activist, Feminist, Lawyer, Priest, and Poet* (Knoxville: University of Tennessee Press, 1989, 1987), 220-21; and Martin Luther King aptly stated on the eve of his assassination in April of 1968, I want the USA to "be true to what [it] said on paper." The "paper" being the Constitution of the United States. See Martin Luther King, Jr., "I See the Promised Land," *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, HarperCollins pbk. Edition., ed. James Melvin Washington (San Francisco: HarperSanFrancisco, 1991), 282.

<sup>67</sup> Civil Rights Act of 1964, 42 U.S.C. §1971 et seq. (1988)



justifies this claim by appealing to the Laws of Nature and The Laws of Nature's God. As historian Richard Beeman pointed out, Jefferson was a deist "who did not believe that God played an active hand in [human affairs]" but he "did believe that certain natural laws were God-given."<sup>68</sup> Our modern, inclusive reading of the Constitution also was formulated by professing Christians: Luther King, Pauli Murray and Thurgood Marshall among many others.

With this understanding, it is clear that the Christian tradition had a fundamental role in the creation of the American worldview and governmental system, making liberation ethics and U.S. Constitutional interpretations branches from the same tree. Therefore, there is a chance that even secular Americans can be convinced by a liberative ethic that makes similar claims as the Constitution mediated through the Civil Rights Act of 1964.

This connection may allow for many people to get on board with environmental protection, even those people who find citation of the Bible to be laughable at best.

### Origins of Western Environmental Ethics

Other ethics proposed by Western ethicists in the past have concerned themselves with environmental protection. These ethics include, but are not limited to, Aldo Leopold's Land Ethic, Larry Rasmussen's Earth Ethic, Catholic Social Teaching and Ecofeminism. I actually agree with all of these ethics as compatible with the liberative ethic. However, I am not convinced that these ethics have enough time to convince the Western and Christian public to change their relationship to the natural world in time for humanity to avoid a GMST of 1.5°C above preindustrial

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<sup>68</sup> Richard Beeman, *The Penguin Guide to the United States Constitution: A Fully Annotated Declaration of Independence, U.S. Constitution and Amendments, and Selections from the Federalist Papers*, (New York: Penguin Group, 2010), 3.

levels. Western ethics that are concerned with the environment work against the grain of Western Christian and secular ideas about human superiority over nature which are millennia in the making. So I will advocate for a liberative ethic as a way to persuade Western people to preserve the environment even if they are not convinced that they are in community with or have ethical obligations to the natural world.

Western ethics concerned about the environment are all recent detours away from the West's 2,500 year history as a tradition whose ethics are primarily, and in some cases singularly, concerned with the human being as the subject and object of ethics. One origin of the human-centeredness of Western ethics can be found in concerns for the soul, reason and happiness (eudaimonia)<sup>69</sup> of human beings that are the basis for the virtue ethics of Plato and Aristotle. Since then, the West has concerned itself with social contract and virtue theories, existentialism, Kantian deontology and utilitarianism. However, in 1789, utilitarian Jeremy Bentham expanded Western ethical consideration to animals because of their ability to suffer.<sup>70</sup>

What...should trace the insuperable line [between humans and animals]? Is it the faculty of reason or perhaps the faculty of discourse? But a full-grown horse or dog, is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day or a week or even a month, old. But suppose the case were otherwise, what would avail? The question is not, Can they reason?, nor Can they talk? but, Can they suffer?<sup>71</sup>

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<sup>69</sup> Dorothea Frede, "Plato's Ethics: An Overview", *The Stanford Encyclopedia of Philosophy*, Winter 2017 Edition, Edward N. Zalta ed., <https://plato.stanford.edu/archives/win2017/entries/plato-ethics/>.

<sup>70</sup> Gordon Graham, *Theories of Ethics: An Introduction to Moral Philosophy with a Selection of Classic Readings* (New York: Routledge, 2011), 119.

<sup>71</sup> Jeremy Bentham, *Introduction to the Principles of Morals and Legislation*, excerpted in Gordon Graham, *Theories of Ethics: An Introduction to Moral Philosophy with a Selection of Classic Readings*, 119.

That is to say, the concern for non-human animals was gained only to the extent that animals were similar to humans in their ability to suffer. The result was a hierarchy of concern for other living beings where humans are at the top, dogs and horses are somewhere below humans and plant life is not considered because it does not have a human-like nervous system. Thus, even ethics about animals can be human-centered.

Theories of environmental ethics aim to break from these human-centered traditions as a response to the West's increase in environmental awareness. According to ethicist Gordon Graham, this increase in awareness was brought about, in no small part, thanks to Rachel L. Carson's book *Silent Spring* (1962) and the publication of a study commissioned by The Club of Rome entitled *Limits to Growth* (1972). *Silent Spring* critiqued the use of synthetic industrial chemicals in farming and other industries and asked the public to consider whether it is willing to continue using chemicals that are harmful to nature in exchange for "springtime[s] in which birds no longer s[ing]." Carson's book contributed to a national ban on some pesticides, including DDT, and to a public concern for the environment, which may have helped create a political animus for the creation of the Environmental Protection Agency in 1970. *Limits to Growth* examined "world population, industrialization, pollution, food production and resource depletion" and found that "sustainable use of natural resources would require both population control and limits to economic growth." This study popularized the concept of sustainability for energy, food systems, etc. Public concern about the environment then skyrocketed in 1990 with the publication of the first report of the Intergovernmental Panel on Climate Change, which found that global warming has catastrophic potential and is anthropogenic.<sup>72</sup>

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<sup>72</sup> Gordon Graham, *Theories of Ethics*, 122.

Along with the increase in environmental awareness in the second half of the twentieth century came an appreciation for an essay which pointed out Western ethics' lack of concern for the environment. This essay was called *The Land Ethic* and was published in 1949, one year after the death of its author, Aldo Leopold, a professor in the Agricultural Economics Department at the University of Wisconsin-Madison. In his essay, Leopold recognized that "[The Western tradition of] ethics so far evolved rest upon a single premise: that the individual is a member of a community of interdependent parts" with obligations to one another.

The land-relation is still strictly economic, entailing privileges but not obligations... The land ethic simply enlarges the boundaries of the community to include, soils, waters, plants and animals, or collectively: the land... a land ethic changes the role of *Homo sapiens* from conqueror of the land-community to plain member and citizen of it.<sup>73</sup>

Ecofeminism<sup>74</sup> picks up on this Western culture of patriarchal domination and conquest as the common cause for both sexism and environmental destruction and that the solution to one problem greatly contributes to rectifying the other.

### Western Environmental Ethics Grounded in Theology

In *Earth Community Earth Ethics* Larry Rasmussen<sup>75</sup> also advocates for an expansion of the idea of community. Citing Leonardo Boff, he says, "The dance of reality is 'a permanent dance of energy and elements' in a 'vast communitarian chain' that embraces the entire

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<sup>73</sup> Aldo Leopold, "The Land Ethic," excerpted from Gordon Graham, *Theories of Ethics*, 124.

<sup>74</sup> Ecofeminism was "[c]oined by French feminist Françoise d'Eaubonne in 1974." "The modern ecofeminist movement was born out of a series of conferences and workshops held in the United States by a coalition of academic and professional women during the late 1970s and early 1980s." See Kathryn Miles "Ecofeminism | Sociology and Environmentalism," Encyclopedia Britannica (Website), <https://www.britannica.com/topic/ecofeminism>.

<sup>75</sup> Former Reinhold Niebuhr Professor of Social Ethics at Union Theological Seminary.

cosmos.”<sup>76</sup> In the pursuit of this idea of community Rasmussen is a proponent of sustainable communities and infrastructure born from sustainable design. He identifies a couple of principles for this process. One principle among many is that sustainable solutions must be tailored to the specific place. One must ask, “What does nature permit in a given locale? and What does nature help us to do?” He cited Diane Ackerman who says, ““Without the details nothing can be known, not a lily or a child.”” This principle is highly compatible with a liberative ethic that privileges the detailed knowledge that indigenous people have of the land. Citing David Orr, Rasmussen also directly confronts the dominant capitalist framework by saying that “nature is not first of all a bank of resources standing at the ready; it is the source and model for the very designs we must draw upon in order to address” the climate problem.<sup>77</sup>

Rasmussen grounds his idea of earth community, partially, in a reading of Biblical Scripture that rejects the common interpretation of Genesis 1:26 and 28 as a command to dominate, master and conquer the Earth and its living creatures. He claims that although in many theological circles the domination/dominion interpretation of the Gen. 1 creation myth is *passee*, it is still a highly influential interpretation of the creation myth, deeply ingrained in Western culture. This reading places human beings as the crown jewel over and apart from all of creation. As an example of the influence of the dominion interpretation of creation Rasmussen points to the messages of the Catholic Church, the largest denomination in the world by population. At the twentieth anniversary Earth Day gathering in Central Park, New York City in 1990, Cardinal O’Connor said, “The earth was made for man, not man for the earth.” This is a sentiment that is affirmed by

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<sup>76</sup> Larry L. Rasmussen, *Earth Community Earth Ethics* (Maryknoll, NY: Orbis Books, 1997) 324.

<sup>77</sup> Larry L. Rasmussen, *Earth Community Earth Ethics*, 343.

statements made by Pope John Paul II (the Catholic Pope from 1978-2005) who said that when one reads Gen. 1:26 and 28, we see “a clear affirmation of the primacy of man over things; these are made subject to him and entrusted to his responsible care.”<sup>78</sup> While human dominion may be “responsible,” many theologians, like Rosemary Radford Ruether and Rasmussen, still eschew the dominion exegesis in favor of a stewardship reading of humanity’s relationship with nature. This reading considers humans to be the trustees of the *oikos* (our common home) and the Earth’s tilers and keepers.<sup>79</sup>

The World Council of Churches (WCC) has made official statements in affirmation of both the stewardship reading of the Gen. 1 creation account and sustainable community. After the WCC’s March 1990 Convocation on Justice, Peace and the integrity of Creation, in Seoul, South Korea, the WCC came away with a document entitled *Now is the Time*. This document claimed that the member denominations

affirm that the world, as God’s handiwork, has its own inherent integrity; that land, waters, air, forests, mountains and all creatures, including humanity, are “good” in God’s sight. The integrity of creation has a social aspect which we recognize as peace with justice, and an ecological aspect which we recognize in the self-renewing, sustainable character of natural ecosystems... Biblical Statements, such as “to have dominion” and “subdue the earth”, have been misused through the centuries to justify destructive actions toward the created order. As we repent of this violation, we accept the image of God, have a special responsibility as servants in reflecting God’s creating and sustaining love, to care for creation and to live in harmony with it.<sup>80</sup>

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<sup>78</sup> Larry L. Rasmussen, *Earth Community Earth Ethics*, 229.

<sup>79</sup> Larry L. Rasmussen, *Earth Community Earth Ethics*, 231.

<sup>80</sup> WCC, *Now is the Time: The Final Document and Other Texts from the World Convocation on Justice, Peace and the Integrity of Creation*, excerpted in David J. Wellman, *Sustainable Communities* (New York: World Council of Churches, 2001), 2,3.

The influence of *Now is the Time* and the 1990 IPCC report can be seen in the Catholic update on climate considerations in an Encyclical Letter entitled *Laudato Si'*. **This Letter** by the current Catholic Pope, Francis, in May 2015, calls for Catholics to respect science and its findings about the environment and to avoid acts of indifference and selfishness which harm the environment, among other things. The *Laudato Si'* **establishes that** Catholic social teaching now includes teaching about the environment and Catholics ought to be concerned about the environment because climate change disproportionately harms the poor.<sup>81</sup>

Perhaps the most dramatic claim made in the *Laudato Si'* in light of Catholic history is its respect for indigenous knowledge.

it is essential to show special care for indigenous communities and their cultural traditions. They are not merely one minority among others, but should be the principal dialogue partners, especially when large projects affecting their land are proposed. For them, land is not a commodity but rather a gift from God and from their ancestors who rest there, a sacred space with which they need to interact if they are to maintain their identity and values. When they remain on their land, they themselves care for it best. Nevertheless, in various parts of the world, pressure is being put on them to abandon their homelands to make room for agricultural or mining projects which are undertaken without regard for the degradation of nature and culture.<sup>82</sup>

This Encyclical reflects a major shift away from the Catholic program of conquest over the past five hundred years in the Americas. In its listening to indigenous people it provides ample justification for Catholics to join in a liberative ethic. In my work here, I hope to have U.S. liberation ethics join the *Laudato Si'*'s in its engagement with indigenous knowledge.

In the work of Rasmussen, the WCC, and Pope Francis we see the influence of theology and religion as a worldview that informs environmentalist ethics. These theologies are a couple of worldviews among many in the world that may lead to the mitigation, as opposed to the exac-

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<sup>81</sup> James Martin, "Top Ten Takeaways from 'Laudato Si'," *America Magazine*, June 18, 2015, <https://www.americamagazine.org/faith/2015/06/18/top-ten-takeaways-laudato-si>.

<sup>82</sup> Pope Francis, *Laudato Si': On Care for Our Common Home*, Encyclical, 2015.

erbation, of climate change. As one can see, theological reasonings often work as in-house justifications for environmentalism that work to persuade Christians to behave differently. I hope that a liberative ethics can contribute as one more ethic to persuade anthropocentric Christians and non-Christians to do the same.

Another important paradigm I must make sure to highlight is the Rights of Nature paradigm that comes out of work done at the United Nations since 2009. “Rights of Nature is grounded in the recognition that humankind and Nature share a fundamental, non-anthropocentric relationship given our shared existence on this planet, and it creates guidance for actions that respect this relationship. Legal provisions recognizing the Rights of Nature, sometimes referred to as Earth Jurisprudence, include constitutions, national statutes, and local laws.” Examples of where the Rights of Nature paradigm have been successful include its presence in the Constitution of Ecuador, the personhood status of the Ganga and Yamunotri Rivers in India, and the recognition of Nature’s civil right to be free of toxic sewage dumping in Tamaqua, Pennsylvania.<sup>83</sup> I believe the rights of nature is a great way to bring about protection for the natural world and, by extension, human beings. It has made some headway as a legal concept and as an ethical worldview around the world. Notably, the Rights of Nature paradigm is has been developed around the world with contributions and support from indigenous communities.

In order to be convinced by the nature-inclusive ethics as described above, many people in the Western world have to sign onto a worldview that is very different from traditional U.S. worldviews, especially with regard to the hierarchy of nature. This cultural and worldview shift may not have time to permeate U.S. American culture. The majority of the ideas above dethrone

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<sup>83</sup> “Harmony With Nature - Law List,” United Nations, <http://www.harmonywithnatureun.org/rightsOfNature/>.



humanity as the overlords of the Earth and as having the right to bend and break nature to its own ends. This disrupts the worldview of the natural world in which humans are at the top. I believe this idea of humbled humanity is True and that the West ought to adopt this worldview as soon as possible.

### Limits of the Liberative Method

Environmentalists may notice that environmentalism through liberation ethics is an ethic grounded in shallow ecology: i.e., an environmentalism that is anthropocentric as opposed to ecocentric.<sup>84</sup> Indeed the liberative ethic is anthropocentric as it stands in this paper, however so are the beliefs of much of the U.S. citizenry as it manifests in capitalist thought. My personal ethics lie more in line with the Anishinaabe ethical tradition which believes that us humans ought to live in harmony with all our relations including rocks, trees and animals. I also agree with Larry Rasmussen's reading of Czech President Vaclav Havel when he said "the world of 'modern anthropocentrism' is deeply, even fatally, flawed." "Modern sciences ...[ have failed] 'to connect with the most intrinsic nature of reality, and with human experience.' We know immeasurably more about the universe than our ancestors, yet it increasingly seems they knew something that escapes us." My goal here is to bring liberative ethics into the world of environmental ethics as a way to get anthropocentric people onto the environmental train.

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<sup>84</sup> Gordon Graham, *Theories of Ethics*, 122.

### III: The Normative Ethic

The normative ethic of the United States, when it comes to environmental policy, is often a capitalistic ethic that prioritizes the generation of corporate profit. In 2020, 65% (or about two out of three) of U.S. Americans thought that the U.S. government ought to be doing more to prevent climate change and only 72% of Democrats and Democratic leaning Americans and only 22% of Republican and Republican leaning Americans believe that “human activity is contributing a great deal climate change.”<sup>85</sup> However, “79% of Americans say the priority for the country’s energy supply should be developing alternative sources of energy, such as wind and solar.”<sup>86</sup>

This is a positive trend in U.S.A. public opinion in that the majority of people want to combat climate change. Unfortunately we still will have to combat the dominant policy infrastructures of neoliberalism, which have had much influence in U.S.A. policy making in the last forty years. Neoliberalism has been characterized by “deregulation, privatization, and withdrawal of the state from many areas of social provision.”<sup>87</sup> Neoliberalism jumpstarted in the United States with the election of Ronald Regan as President in 1980 and in Britain with the election of Margaret Thatcher as Prime minister in 1979. It has been the major theory of governance not only for the U.S. and Britain but also for post-apartheid South Africa, the International Monetary Fund and the World Bank. Neoliberalism’s emphasis on the deregulation of corporations and banks has lead to a scenario where corporations and banks are now so large and powerful that

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<sup>85</sup> Alec Tyson and Brian Kennedy, “Two-Thirds of Americans Think Government Should Do More on Climate,” *Pew Research Center Science & Society* (blog), June 23, 2020, <https://www.pewresearch.org/science/2020/06/23/two-thirds-of-americans-think-government-should-do-more-on-climate/>.

<sup>86</sup> “AG Ellison Sues ExxonMobil, Koch Industries & American Petroleum Institute for Deceiving, Defrauding Minnesotans about Climate Change,” The Office of Minnesota Attorney General Kieth Ellison (Website), [https://www.ag.state.mn.us/Office/Communications/2020/06/24\\_ExxonKochAPI.asp](https://www.ag.state.mn.us/Office/Communications/2020/06/24_ExxonKochAPI.asp).

<sup>87</sup> David Harvey, *A Brief History of Neoliberalism*, (New York: Oxford University Press, 2007), 3.

some have reached the point that the government must keep them afloat through capital injections (or subsidies) or else the entire economy of the U.S.A. and the world would suffer or, in the case of the 2008 economic crisis, possibly even crash. The influence of deregulated corporations has grown enough now to the point where it becomes reasonable to assess their ethics regardless of public opinion about what they ought to do. This scenario coincides with the common occurrence of regulatory capture.<sup>88</sup>

One of the most influential figures who informed the corporate ethic was Milton Friedman, a neoliberal economist who headed the Chicago School of Economics and winner of the 1976 Nobel Prize. A watershed moment in neoliberal economics and policy happened when Friedman wrote an article in the New York Times that was released on September 13, 1970 called, tellingly, “A Friedman doctrine-- The Social Responsibility Of Business Is to Increase Its Profits.”<sup>89</sup> Friedman begins by observing anecdotally that some businessmen claim to have a concern for the ““social responsibilities of business.”” Friedman claims that any idea of a business having social responsibility is the result of the over-influence of non-rigorous and loosely analytical academics and socialists. The truth, he claims, is that businesses ought not to be considered persons in the sense that individual human beings are persons. Instead, a business is a collection of individual persons who are doing a job apart from their personal life. Therefore, when it comes to business executives’ work, social responsibility is suspended and they are be-

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<sup>88</sup> “Regulatory capture is an economic theory that regulatory agencies may come to be dominated by the interests they regulate and not by the public interest. The result is that the agency instead acts in ways that benefit the interests it is supposed to be regulating.” See Will Kenton, “Regulatory Capture Definition,” Investopedia (Website), <https://www.investopedia.com/terms/r/regulatory-capture.asp>.

<sup>89</sup> Milton Friedman, “A Friedman Doctrine-- The Social Responsibility Of Business Is to Increase Its Profits,” *The New York Times*, September 13, 1970, sec. Archives, <https://www.nytimes.com/1970/09/13/archives/a-friedman-doctrine-the-social-responsibility-of-business-is-to.html>.

holden only to the shareholders for whom they have been hired to make money from increased company value or profit. If the executive officer were to be concerned with social responsibility, the officer would be doing it with “someone else’s money.” Friedman claims that any social activities done by an executive would be stepping out of the bounds of their job—i.e., an agent for their stockholders—and they would be behaving as if they were the company’s “legislator, executive and jurist” simultaneously.

Another influencer who believes in corporate deregulation is Steve Forbes, Chief Executive Officer of Forbes Media LLC and former head of the Board of International Broadcasting (BIB) for both the Regan and George H. W. Bush Administrations<sup>90</sup>. In his news outlet, Forbes Magazine, he wrote an article in 2009 defending neoliberal capitalism after the market crash of 2008. It is called “How Capitalism Will Save Us”<sup>91</sup> and in it he lays out the principles of his worldview founded in market fundamentalism.<sup>92</sup>

He begins by claiming that capitalism is the world’s greatest economic success story and the most humane economic system because it, “promot[es] the democratic values of a free and open society: hard work, cooperation, generosity, charity, and devotion to the rule of law.” He then claims that capitalism is not in any way exploitative in that, “Rich people make their fortunes by creating opportunity and wealth for others,” and he denies that the rich make up an aristocracy. As long as markets are allowed to act as freely as possible, society would have few is-

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<sup>90</sup> “Steve Forbes | Biography & Facts,” Encyclopedia Britannica, <https://www.britannica.com/biography/Steve-Forbes>.

<sup>91</sup> Steve Forbes, “How Capitalism Will Save Us,” *Forbes*, [https://www.forbes.com/2009/11/03/capitalism-save-us-opinions-forbes\\_land.html](https://www.forbes.com/2009/11/03/capitalism-save-us-opinions-forbes_land.html).

<sup>92</sup> “Market fundamentalism” is a term used by Nobel Prize Winner Joseph Stiglitz. See Joseph E. Stiglitz, “The Economy We Need,” Project Syndicate, May 3, 2019, <https://www.project-syndicate.org/onpoint/the-economy-we-need-by-joseph-e-stiglitz-2019-05>.

sues with regard poverty and social needs, as long as everyone participates in capitalism and the workforce. And, according to Forbes, government regulations only work to stifle innovation.<sup>93</sup>

Underneath this market fundamentalism is neoclassical economics. With regard to the environment, neoclassical economics considers the environment to be, firstly, a commodity to be broken down into its constituent goods and services.<sup>94</sup> Neoclassicism also teaches its adherents that “the ‘rational economic person’... behaves in a self-interested and consistent manner to maximize their utility” while also being morally neutral. In the case of regulations, the idea is that regulations ought to be optimized so that the environment is harvested and destroyed in a balance that is determined by market forces. If there is a sustainability issue, then the solutions also ought to be marketized in the form of pollution permits, carbon offsets, pollution taxes and fines, etc.<sup>95</sup> Regulations do not stop pollution, but instead optimizes pollution for maximum profit without hurting product demand and without breaking civil and criminal laws.

All together, the neoliberal ethic as a market fundamentalist ethic is a theory that has been repeatedly critiqued by Western thought. Even before its neoliberal iteration, capitalism was critiqued harshly as fundamentally exploitative and inhumane by Karl Marx and socialists since the 1800s.<sup>96</sup> It is also evident that the environmental ethicists in the preceding section would object to Friedman’s idea that individuals are not beholden to ethics and morals simply because they are doing their job. Indeed if it were the case that a job could relieve people of their social

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<sup>93</sup> Steve Forbes, “How Capitalism Will Save Us,” Forbes, [https://www.forbes.com/2009/11/03/capitalism-save-us-opinions-forbes\\_land.html](https://www.forbes.com/2009/11/03/capitalism-save-us-opinions-forbes_land.html).

<sup>94</sup> See Michael Jacobs, “The Limits to Neoclassicism” in M. R. Redclift and Ted Benton, eds., *Social Theory and the Global Environment*, Global Environmental Change Series (London ; New York: Routledge, 1994), 69.

<sup>95</sup> Michael Jacobs, “The Limits to Neoclassicism,” *Social Theory and the Global Environment*, 73.

<sup>96</sup> See Gary J. Dorrien, *Social Democracy in the Making: Political and Religious Roots of European Socialism* (New Haven, Connecticut: Yale University Press, 2019), 114-132.

obligations then people would be asocial and amoral for most of their waking lives. Forbes' rebuttal to this claim is that the capitalist system itself is moral enough for any society. However, we will see that capitalism has yet to prove this idea true in the experiences of the marginalized.

### Line 3

I am interested in the resistance to Enbridge Inc.'s "Line 3 Pipeline Replacement"<sup>97</sup> project. Enbridge Inc. is a Canadian corporation that identifies itself as a "corporate citizen."<sup>98</sup> It "move[s] about 25% of the crude oil produced in North America,... transport[s] nearly 20% of the natural gas consumed in the U.S., and operate[s] North America's third-largest natural gas utility by consumer count." Therefore, given what we know about the contribution of fossil fuels to climate change, Enbridge is directly contributing to the climate refugee issue and to future food insecurity.<sup>99</sup> But I am getting ahead of myself.

In order to start the Enbridge Inc. Line 3 Pipeline project, Enbridge Inc. had to be approved by the the U.S. Army Corps of Engineers (USACE). On its official website, USACE's stated mission is to "Deliver vital engineering solutions, in collaboration with our partners, to secure our Nation, energize our economy, and reduce disaster risk." Its vision is to "Engineer[] solutions for our Nation's toughest challenges."<sup>100</sup> Enbridge also had to receive permits from the

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<sup>97</sup> It is actually a new pipeline that will have twice the capacity as the old pipeline and will be built in a different corridor. See Appendix and "Stop Line 3," StopLine3.org, <https://www.stopline3.org>.

<sup>98</sup> "About Enbridge," Enbridge (Website), <https://www.enbridge.com/about-us>.

<sup>99</sup> See Part I, page 4.

<sup>100</sup> "Mission and Vision," Headquarters U.S. Army Corps of Engineers (Website), <https://www.usace.army.mil/About/Mission-and-Vision/>.

state of Minnesota, pass judicial evidentiary hearings and receive approval from the Minnesota Public Utilities Commission before beginning construction.

Enbridge began construction of the Minnesota portion of the Line 3 Pipeline in December of 2020. The Line 3 Pipeline previously traveled through the Leech Lake Indian Reservation and was constructed in the 1960's. After the degradation of the older pipeline Enbridge plans to reroute the replacement pipeline to a corridor immediately adjacent to the White Earth Reservation and the wild rice lakes. Enbridge has already completed the Wisconsin portion of the Pipeline.

Enbridge takes pride in the pipeline claiming that,

Petroleum products are an essential part of our everyday lives. They fuel our cars, heat our homes, power industry, schools and hospitals, and are turned into hundreds of consumer goods, from clothing to cosmetics to cellphones. But before those products materialize, crude oil must be refined into petroleum.<sup>101</sup>

In line with the neoclassical model of capitalist economics Enbridge paid for and received all of the permits required to begin the project. The corporation claims that it is

...fully committed to protecting the areas our pipelines cross during construction and operation of our pipeline system. Replacing an aging pipeline with new, modern construction is the safest and best option for protecting the environment. The project route, facility design, and construction procedures have been designed to minimize impacts on the environment.<sup>102</sup>

This “protection” is not the protection that we might come to expect in common language. Remember that in the neoclassical model of economics regulations are not designed to eradicate environmental destruction but to limit it only to the extent that profits can be maintained without

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<sup>101</sup> “Line 3 Replacement Project,” Enbridge (Website), <https://www.enbridge.com/projects-and-infrastructure/public-awareness/minnesota-projects/line-3-replacement-project>.

<sup>102</sup> “Line 3 Replacement Project,” Enbridge (Website), <https://www.enbridge.com/projects-and-infrastructure/public-awareness/minnesota-projects/line-3-replacement-project>.

hurting the demand for a product. As far as Enbridge, Minnesota permits and the Army Corps of Engineers are concerned, this definition of “protection” allows Enbridge to claim that it is dedicated to protecting communities despite the frequency of oil spills inherent to any Pipeline use.

Enbridge is aware that pipeline spills are likely. According to research done by the Polaris Institute based on Enbridge’s own reports, between 1999 and 2010, across all of Enbridge’s operations, there were 804 spills.<sup>103</sup> In 2010 the Enbridge Line 6B oil pipeline ruptured and spilled over one million gallons of oil into a tributary of the Kalamazoo River. In 1991, the Enbridge Line 3 pipeline caused the biggest inland oil spill in U.S. history, spilling 1.7 million gallons of oil in Grand Rapids, Minnesota.

In light on Enbridge’s past oil spills, the destructive capitalist definition of “protection” stands as a normative ethic. This definition of “protection” is normative not only for Enbridge, but also for all of the government institutions that approved the construction of the oil pipeline. Said differently, according to governmental ethics, the high probability of an oil spill into the White Earth Reservation is at least ethically permissible and according to market fundamentalism it is ethically justified.

As we will see in the case of the Anishinaabe who live on the White Earth Reservation, the ethics of both the government and the Enbridge corporation are mistaken.

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<sup>103</sup> Daniel Cayley-Daoust, “Corporate Profile of Enbridge,” Polaris Institute (Website), May 4, 2012, [https://www.polarisinstitute.org/enbridge\\_profile](https://www.polarisinstitute.org/enbridge_profile).



## Part IV: A Contrasting Ethic

When considering an other's ethic it is good to leave the explication to them as much as possible.

As I present the actions and history of the people living on the White Earth Reservation— a group of people to whom I do not belong— I use their materials as my academic resource. Although I am not a member of the White Earth Nation, I do belong to their wider Anishinaabe ethnic group. I share in some of their cultural traditions and hold many of the foundational worldviews that they hold. I will not delve much if at all into sacred teachings because to do such a thing would require permission.

One person from White Earth who has written a lot about her experiences in activism is Winona LaDuke. She is an Anishinaabekwe who has been advocating for her people for many years. She is the executive director of Honor the Earth and a founder of the White Earth Land Recovery Project. She studied economics at Harvard and Antioch Universities and specialized in rural economic development. She also ran for vice president on the Green Party ticket twice: once in 1996 and again in 2000.<sup>104</sup> I will be referencing her work and experience as a counterexample to the normative ethics of Enbridge and the government of Minnesota.

### An Anishinaabe Theoretical Counter-Ethic

In her book, *All Our Relations*, Winona LaDuke sets the scene.

It's mid-September in northern Minnesota. Somewhere on one of the many lakes Lennie Butcher and his wife Cleo are making wild rice. *Manoominikewag*. That is what they do.

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<sup>104</sup> "LaDuke, Winona" SpeakOut (Website), <https://www.speakoutnow.org/speaker/laduke-winona>. And "Winona LaDuke," Center for Humans & Nature (Website), <https://www.humansandnature.org/winona-laduke>.

It's a misty morning on Big Chippewa<sup>105</sup> Lake. The Anishinaabeg couple drag their canoe toward the water's edge. The woman boards in the front and sits on her haunches. The man pushes the canoe offshore and jumps in the boat behind her. As they pole toward the wild rice beds, they can feel the crisp dampness of September on their faces. The man rises to a stand, his head visible just above the tall stalks of rice. The woman pulls the rice over her lap with a stick and gently raps it with another one. This is a thousand-year-old scene on Big Chippewa Lake. And there is a community that intends to carry in on for another thousand years.<sup>106</sup>

Given Embridge's oil spill rate, the construction of the Line 3 Pipeline would mean the end of this vision, likely in a matter of decades if not sooner.

To the Anishinaabeg on White Earth,<sup>107</sup> the wild rice is a gift from the Creator and as such, "[t]here is no way to set a price on this way of life." "[This] simple truth more than anything else" LaDuke says, "encapsulates the Anishinaabeg people's struggle with the federal government, the miners...the logging companies" and now the oil companies.<sup>108</sup>

The Anishinaabeg made more than 40 treaties with the U.S., England and Canada since 1785, the first was at Fort McIntosh and the most recent treaty was in made in 1923 at Georgian Bay. In the 1820s the U.S. federal government began a comprehensive study of the "mineral assets" of the Lake Superior area after a naturally occurring 2,500 pound copper boulder, the "Ontonogan Boulder," was found in Anishinaabeg territory (now called the Kewanee Peninsula). Soon after, four treaties were signed between the Anishinaabeg and the U.S. in order to give the U.S. access to mining locations in the Kewanee Peninsula and Mesabe iron-ore belt in northern Minnesota. In 1837, Henry Dodge, Governor of the Wisconsin Territory, set his eyes on the pine

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<sup>105</sup> Chippewa is another name for Ojibwe.

<sup>106</sup> Winona LaDuke, *All Our Relations: Native Struggles for Land and Life*, (Chicago, IL: Haymarket Books, 1999), 115.

<sup>107</sup> With Earth is named for the white clay that makes up part of the land. See Winona LaDuke, *All Our Relations: Native Struggles for Land and Life*, 115.

<sup>108</sup> Winona LaDuke, *All Our Relations: Native Struggles for Land and Life*, 116.

lands of the St. Croix Valley. So he signed a treaty with the Anishinaabeg in order to log the “great white pine forests that had once extended from Maine to Minnesota.”<sup>109</sup>

The White Earth reservation was created in 1867, fortunately the Anishinaabeg on this reserve were on their traditional lands. The lands were/are beautiful and hold a lot of natural wealth. The reserve initially held 36 townships but four were annexed to the U.S. with the 1889 Nelson Act for logging pine. By about 1914, only 14% of the original White Earth reservation land remained. More land was taken again in the 1930s in order to create the Tamarac National Wildlife refuge.<sup>110</sup>

It seems that this pattern of predatory resource extraction from the land and from marginalized people has been handed down in the Western tradition from generation to generation. The methods used by white colonists to take indigenous lands were often disingenuous and often violent as is often the case with the primitive accumulation of capital.<sup>111</sup> In her presentation as the 2017 Women of Spirit Lecturer, LaDuke referred to this insatiable capitalist drive for destruction “wendigo economics.”<sup>112</sup>

In order to explain wendigo economics I will explain what a wendigo (sometimes spelled weendigo) is with the help of Basil Johnston’s book *The Manitous*. Basil Johnston was an Ojib-

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<sup>109</sup> Winona LaDuke, *All Our Relations: Native Struggles for Land and Life*, 117.

<sup>110</sup> Winona LaDuke, *All Our Relations: Native Struggles for Land and Life*, 118-119.

<sup>111</sup> See Karl Marx, *Capital: A Critique of Political Economy, Volume One*, (Penguin Books: London, 1990), 873-876.

<sup>112</sup> “Livestream: Judith Davidson Moyers Women of Spirit Lecture with Winona LaDuke,” Union Theological Seminary (blog), April 20, 2017, [https://utsnyc.edu/laduke\\_wos/](https://utsnyc.edu/laduke_wos/).

we elder on the Cape Croker Indian Reserve in Ontario, Canada. He describes the wendingoag<sup>113</sup> as large, emaciated, monstrous manitou that used to prowl the northern forests at night. The wendingoag were so skinny in fact that they looked like skeletons and they could be up to eight times the height of a tall man. They would eat unfortunate humans and yet would never be satisfied, they were “afflicted with never-ending hunger and could never get enough to eat, [they] w[ere] always on the verge of starvation... What lips it had were tattered and bloody from its constant chewing with jagged teeth.”<sup>114</sup> The wendigo ate only humans and when it ate, it gorged itself as if it would never eat again and yet it would still not be filled, instead, with every human it ate, it grew larger. Etymologically it is possible that the word wendigo developed from “*ween dagoh*” meaning “solely for the self” or from “*weenin n’d’igooh*” meaning “‘fat’ or excess.”

There were many ways that a wendigo could come to be in the world. But in every case, they began as human beings. One of the surest ways to become a wendigo is to eat human flesh. This would happen when someone was starving in the dead of winter and was desperate for something to eat, even their comrades.<sup>115</sup>

“Even though a Weendigo is a mythical figure, it represents real human cupidity.”<sup>116</sup>

When the white people came,

[the wengigoag] did not die out or disappear; they have only been assimilated and reincarnated as corporations, conglomerates, and multinationals. They’ve even taken on new names, acquired polished manners, and renounced their craving for

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<sup>113</sup> Plural form of wendigo.

<sup>114</sup> Basil Johnston, *The Manitous: The Spiritual World of the Ojibway*, Native Voices (St. Paul, Minn.: Minnesota Historical Society Press, 2001), 221.

<sup>115</sup> Basil Johnston, *The Manitous*, 224.

<sup>116</sup> Basil Johnston, *The Manitous*, 235.

human flesh in return for more refined viands. [Land, metal, wood and oil perhaps.]<sup>117</sup>

To the extent that the White Earth Anishinaabe strive to avoid being consumed by or become a wendigo they live in a manner that directly contradicts Steven Forbes' and neoliberalism's market fundamentalism as a prescription for how human beings ought to live. Instead, Winona LaDuke works to maintain a sustainable, human life along with others who keep the tradition of harvesting wild rice alive. They live a lifeway that, importantly, does not exacerbate catastrophic climate change. Living this way itself is an ethical knowledge. Here, I will remind the reader that this lifeway does not mean that the Anishinaabeg aspire to avoid technology and all modernist thoughts, the goal is to live sustainably as contemporary people living in 2021.

### Resistance as Counter-Ethic

A liberative ethic is not satisfied with the market ethic's definition of "protection" insofar as a community of historically marginalized people continue to suffer under said definition. In Line 3 resistance, White Earth residents shout a resounding "NO" to the ethics that justify and excuse the construction of the Line 3 Pipeline. This resistance has manifested as presence at judicial hearings, public outreach and physical demonstrations. The cause of the White Earth campaign against Line 3, as it shows up in the Honor the Earth campaign, will help to protect the land and water of many people in Minnesota, Wisconsin, Canada and people down the Mississippi River. This is why their cause has many allies including white landowning neighbors, coun-

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<sup>117</sup> Basil Johnston, *The Manitous*, 235

ty commissioners and mayors.<sup>118</sup> The movement has also been supported by Congresswoman Ilhan Omar who has called President Joe Biden to order an end to the Pipeline's construction.<sup>119</sup>

The result that Winona LaDuke and Honor the Earth have called for is for Enbridge to clean up the abandoned Line 3 Pipeline and for them to halt construction on its new "replacement." They are calling for Enbridge to pay Minnesotans to clean it up as a local economic stimulus plan for people who could use the work.

The many people who oppose the Line 3 pipeline call themselves Water Protectors. This title is used in the tradition of Anishinaabekwe Elder, Grandmother Josephine Mandamin, the "Water Walker" who began the Water Walk movement in 2003.<sup>120</sup> Water Protectors also act in the tradition of the Water Protectors who demonstrated against the Dakota Access Pipeline in 2016 and faced militarized police and mercenaries.<sup>121</sup> These Water Protectors work to ensure that there is the smallest risk possible of harm coming to natural water systems; no risk if possible. This definition of protection is in stark contrast to the definition of "protection" as it is understood by Enbridge. And even if the Minnesota permitting institutions were to agree with the Water Protector's definition of protection, their ethics do not value it as an ethic to inform their distribution of permits. Now, with this contrast in definitions of protection, we as ethicists are able to clearly expose and critique the market fundamentalist Enbridge Inc. as having an inaccurate

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<sup>118</sup> "What is Line 3?" (Video), StopLine3.org, <https://www.stopline3.org>.

<sup>119</sup> "Rep. Ilhan Omar Calls on Biden to Reject Line 3 Pipeline," Representative Ilhan Omar (Website), February 3, 2021, <https://omar.house.gov/media/press-releases/rep-ilhan-omar-calls-biden-reject-line-3-pipeline>.

<sup>120</sup> "She Walked the Talk: Farewell to Water Warrior Grandmother Josephine Mandamin," Water Docs (Website), <https://www.waterdocs.ca/news/2019/2/22/she-walked-the-talk-farewell-to-water-warrior-grandmother-josephine-mandamin>.

<sup>121</sup> Jamil Dakwar, "Why Did a Private Security Contractor Treat Standing Rock Protesters Like 'Jihadists'?" American Civil Liberties Union, <https://www.aclu.org/blog/free-speech/rights-protesters/why-did-private-security-contractor-treat-standing-rock>.

assessment of the word “protection,” which functions to the detriment of the life, liberty and happiness of the White Earth Anishinaabeg.

## **Part V: Conclusion and Further Considerations**

This thesis has been an attempt to bring indigenous concerns and movements into the vision of an ethics born in Harlem, liberation ethics. Again I will remind the reader that the liberative ethics need not be adopted by all people, including those whose lives are being referenced as a source for moral knowledge. It is an ethical method that has the potential to bring the dominant culture and black ethicists to the table with others in the pursuit of justice. Importantly, it allows the dominant culture to decenter itself as the locus of concern so that it can manifest its best self-expectations.

There are many people in the United States that still believe there is a singular line of historical progress in the world. For them, listening to the marginalized “savages” would be, literally, backwards with regard to both civilized progress and history itself. However, it turns out that the dominant modernist worldviews are not only new onto the scene of worldviews but also have been guilty of shallow, self-absorbed, wendigo-like thinking. In just a few short centuries modernist thinking and capitalism have, together, largely overcome the power of disease over our lives and has allowed a larger portion of individuals to live in comfort that had been reserved for royalty. Modernism just needs to outgrow its tendency to render the majority of humanity economically poor and its tendency to cause apocalyptic scenarios. Indeed, losing its hubris and listening to others would be a start.

On a different note, some may wonder if I am utilizing Christian ethics in such a way that the secular population would object to using this method: especially given its origins in a seminary discipline (Social Ethics) that was rejected from university academics almost one hundred years ago.<sup>122</sup> Perhaps they would, however such a concern ought to be mitigated by my claim that it is only one ethical option of many that a secular U.S. citizen could use. However, a secular and more scientifically oriented person should still consider this ethical system because it takes seriously the ethical and anthropological claims of the Declaration of Independence and our current iteration of the Constitution which parallel the claims of justice-oriented Christians. This parallel exists as two branches stemming from a common Christian origin as is represented in the language of “creation” in the Declaration of Independence and in the Christian faith of the framers of the U.S. Constitution. Both the liberative interpretation of Christian Scripture and the U.S. Constitution stem from the Enlightenment Christian tradition which asserts the supreme value of individuals<sup>123</sup> and their inherent right to be free from political, economic and intellectual subjugation. The social struggles of non-white persons and women in the US has always been and continues to be a struggle to hold the US to its highest ideals as was well articulated in the Constitution and interpreted by thinkers like Sojourner Truth, Harriet Tubman, Elizabeth Cady Stanton, Callie House, Ida B. Wells Barnett, Zitkála-Šá (Gertrude Simmons Bonnin), Pauli Murray, Angela Davis, Assata Shakur, and many others.

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<sup>122</sup> Gary J. Dorrien, *Social Ethics in the Making: Interpreting an American Tradition* (Chichester, U.K. ; Malden, MA: Wiley-Blackwell, 2009), 32-35.

<sup>123</sup> Gary J. Dorrien, *In a Post-Hegelian Spirit: Philosophical Theology as Idealistic Discontent* (Waco, Texas: Baylor University Press, 2020).



On the opposite end, some people may think that the liberative method I have presented here does not have enough Bible and Jesus in it. I will admit that I do not profess to lean heavily on the Christian faith. For more Bible, I highly recommend reading Traci West's *Disruptive Christian Ethics* which is the foundation of the liberative method I attempt to apply here.

I would also like to point out that I have not addressed the issue of sexual and otherwise physical assaults on indigenous women in connection to temporary oil workers in indigenous territories.<sup>124</sup> There have been many reports of assaults committed by workers (often oil workers) in temporary 'man camps.' This problem exacerbates the normative ethic which considers the bodies of native women to be violable. This ethic is reflected in the fact that "until recent changes in the law, Indian nations were unable to prosecute non-Indians, who reportedly commit the vast majority (96%) of sexual violence against Native women."<sup>125</sup> We have an epidemic of missing and murdered indigenous women that must be ended.

I realize that the content of the thesis may cause a lot of dread, however, I hope that the reader can still find joy in the struggle, dance in the fight, laugh at the absurdity of it all and yet still maintain crystal-clarity about the situation. I find hope in the fact that our environmental situation is only as bad as we are willing to let it get, and I find peace and purpose in knowing I am doing my small part to help humanity live more harmoniously with all our relations.

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<sup>124</sup> Rilyn Eischens, "Shelter Reports Assaults, Harassment Linked to Line 3 Pipeline Workers," *Minnesota Reformer* (blog), March 8, 2021, <http://minnesotareformer.com/2021/03/08/shelter-reports-assaults-harassment-linked-to-line-3-pipeline-workers/>.

<sup>125</sup> "Ending Violence Against Native Women | Indian Law Resource Center," accessed April 19, 2021, <https://indianlaw.org/issue/ending-violence-against-native-women>.



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